

1
2
3
4
5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 LEO FANNON,

9 Petitioner,

v.

10 LISA OLIVER-ESTES,

11 Respondent.

12 CASE NO. C17-5790 BHS

13 ORDER ADOPTING REPORT
14 AND RECOMMENDATION

15 This matter comes before the Court on the Report and Recommendation (“R&R”)
16 of the Honorable Theresa L. Fricke, United States Magistrate Judge (Dkt. 24), and
17 Petitioner Leo Fannon’s (“Fannon”) objections to the R&R (Dkt. 25).

18 On May 11, 2018, Judge Fricke issued the R&R recommending that the Court
19 deny Fannon’s petition on the merits. Dkt. 24. On May 25, 2018, Fannon filed
20 objections. Dkt. 25.

21 The district judge must determine de novo any part of the magistrate judge’s
22 disposition that has been properly objected to. The district judge may accept, reject, or
 modify the recommended disposition; receive further evidence; or return the matter to the
 magistrate judge with instructions. Fed. R. Civ. P. 72(b)(3).

1 In this case, Fannon fails to specifically identify any error in Judge Fricke's R&R.
2 Instead, Fannon summarily repeats his grounds for relief and asserts in conclusory
3 fashion that his constitutional rights were violated. Dkt. 25. Judge Fricke thoroughly
4 addressed each of Fannon's grounds for relief and his requests for additional discovery.
5 Fannon has failed to identify any error in Judge Fricke's finding and conclusions. The
6 Court has likewise failed to identify any error. Therefore, the Court having considered
7 the R&R, Fannon's objections, and the remaining record, does hereby find and order as
8 follows:

- 9 (1) The R&R is **ADOPTED**;
10 (2) Fannon's petition is **DENIED**;
11 (3) A Certificate of Appealability is **DENIED**; and
12 (4) The Clerk shall enter a **JUDGMENT** and close the case.

13 Dated this 5th day of July, 2018.

14 
15

16 BENJAMIN H. SETTLE
17 United States District Judge
18
19
20
21
22